



AF #  
JFW

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:

IMMER et al.

Group Art Unit: 1644

Serial Number: 09/027,777

Examiner: R. Schwadron

Filed: February 23, 1998

Attorney Docket No.: 108099-00001

For: PROCESS FOR PREPARING CARDIODILATIN FRAGMENTS; HIGHLY  
PURIFIED CARDIODILATIN FRAGMENTS AND INTERMEDIATE  
PRODUCTS FOR THE PREPARATION OF SAME

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS  
AND INTERFERENCES AND PETITION FOR EXTENSION OF TIME**

**Mail Stop: AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Date: October 21, 2004

Sir:

Applicant hereby appeal to the Board of Patent Appeals and Interferences from the Decision of the Primary Examiner dated April 21, 2004 finally rejecting claims 36 and 37.

A timely response to the final rejection has been filed on August 10, 2004.

The \$340.00 Appeal Fee is attached.

The shortened statutory period expiring on October 21, 2004, it is hereby requested that the period for response be extended for three months with one month having already been paid. Also included in our check is \$870.00 as payment of the fee for a three month extension of time for filing this Notice of Appeal.

10/22/2004 JADD01 00000036 09027777

01 FC:1401  
02 FC:1253

340.00 OP  
870.00 OP

Please find attached a check in the amount of \$1,210.00 to cover the fees discussed above. Please charge any fee deficiency or credit any overpayment to our Deposit Account No. 01-2300, referencing attorney docket number 108099-00001.

Respectfully submitted,

A handwritten signature in black ink, reading "Robert K. Carpenter". The signature is fluid and cursive, with the first name "Robert" and last name "Carpenter" clearly legible.

Robert K. Carpenter  
Registration No. 34,794

Customer Number 004372  
ARENT FOX PLLC  
1050 Connecticut Avenue, N.W.,  
Suite 400  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

TECH/267818.1